

AMS/FAST CHANGE REQUEST (CR) COVERSHEET

Change Request Number: 19-37

Date Received: 6/18/19

Title: AMS Contract Clause Change 97

Initiator Name: Michelle Brune

Initiator Organization Name / Routing Code: Manager, Acquisition Policy Division, AAP 100

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Policy and Guidance: (check all that apply)

- ☐ Policy
- ☒ Procurement Guidance
- ☐ Real Estate Guidance
- ☐ Other Guidance
- ☐ Non-AMS Changes

Summary of Change:

Revised clauses

- 3.1-1 Clauses and Provisions Incorporated by Reference
- 3.2.2.5-1 Terms and Conditions-Simplified Purchase (Services and Supplies)
- 3.4.2-1 State of New Mexico Gross Receipts and Compensating Tax
- 3.4.2-5 Taxes - Foreign Fixed-Price Contracts
- 3.4.2-7 Federal, State, and Local Taxes - Fixed-Price, Noncompetitive Contract
- 3.4.2-8 Federal, State, and Local Taxes - Fixed Price Contract
- 3.4.2-9 North Carolina State and Local Sales and Use Tax - Construction Contracts
- 3.6.1-4 Small, Small Disadvantaged, Women-Owned and Service-Disabled Veteran Owned Small Business Subcontracting Plan
- 3.6.1-7 Limitations on Subcontracting
- 3.6.1-14 Notice of Partial Small Business Set-Aside
- 3.6.2-46 Paid Sick Leave - New Clause
- 3.8.2-10 Protection of Government Buildings, Equipment, and Vegetation
- 3.8.2-12 Payment by Government to Contractor
- 3.8.2-13 Payment by Contractor to Government
- 3.8.2-14 Incremental Payment by Contractor to Government
- 3.8.2-15 Indemnification and Medical Liability Insurance
- 3.8.2-17 Key Personnel and Facilities
- 3.8.2-19 Prohibition on Advertising

Reason for Change:

1. 3.1-1 Clauses and Provisions Incorporated by Reference - changes old link to new link
<https://fasat.faa.gov/contractclauses.cfm>.
2. 3.2.2.5-1 Terms and Conditions-Simplified Purchase (Services and Supplies) - changes old link to new link
<https://fast.faa.gov/contractclauses.cfm>.
3. The following clauses were edit to remove "Shall" with Will/Must as recommend by AGC.
 - 3.4.2-1 State of New Mexico Gross Receipts and Compensating Tax
 - 3.4.2-5 Taxes - Foreign Fixed-Price Contracts
 - 3.4.2-7 Federal, State, and Local Taxes - Fixed-Price, Noncompetitive Contract
 - 3.4.2-8 Federal, State, and Local Taxes - Fixed Price Contract
 - 3.4.2-9 North Carolina State and Local Sales and Use Tax - Construction Contracts
 - 3.6.1-14 Notice of Partial Small Business Set-Aside
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 - 3.8.2-17 Key Personnel and Facilities
 - 3.8.2-19 Prohibition on Advertising
4. 3.6.1-7 Limitations on Subcontracting - Clause was updated to include the definition of a first-tier subcontractor.
5. 3.6.1-4 Small, Small Disadvantaged, Women-Owned and Service-Disabled Veteran Owned Small Business Subcontracting Plan - Clause was updated to correct a grammatical error to the prescription.
6. 3.6.2-46 Paid Sick Leave - The new clause is based on Executive Order 13706 "Paid Sick Leave for Federal Contractors". Procurement Legal recommended a new AMS clause be developed, and has reviewed the attached draft clause. The clause must be added to existing contracts if one of the three situations listed in the prescription applies.

Development, Review, and Concurrence: AAP-110

Target Audience: Acquisition Workforce

Briefing Planned: No.

ASAG Responsibilities: None.

Section / Text Location: ConWrite/PRISM.

The redline version must be a comparison with the current published FAST version.

FAST Version 7/2019

CR 19-37

p. 2

- ☒ I confirm I used the latest published version to create this change / redline
or
☐ This is new content

Links: ConWrite/PRISM.

Attachments: Redline and final documents.

Other Files: N/A